

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID

WEDNESDAY, THE 7TH NOVEMBER 2007 / 16TH KARTHIKA 1929

CRP.No. 1144 of 2004()

AGAINST THE ORDER DATED 25/06/2004 IN EP 75/1998 IN
LAR.17/1993 of SUB COURT, NEYYATTINKARA
.....

REVN. PETITIONER:

MUHAMMED RAFI, AGED ABOUT 26 YEARS,
SON OF ALI AKBAR, JAMEELA MANZIL,
CHOODUPALAKA JUNCTION, KATTAKADA P.O.,
THIRUVANANTHAPURAM.

BY ADV. SRI.I.ANWAR HUSSAIN
SRI.V.S.AFSAL KHAN

RESPONDENTS:

THE STATE OF KERALA,
REPRESENTED BY THE DISTRICT COLLECTOR,
THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER

THIS CIVIL REVISION PETITION HAVING BEEN FINALLY HEARD ON 07/11/2007,
ALONG WITH CRP NO. 1151 OF 2004 CRP NO. 1152 OF 2004 CRP NO. 1155 OF 2004
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

Dated this the 7th day of November 2007

ORDER

All the decree holders are the revision petitioners in the above L.A.R. cases. In all these cases the revision petitioners/decreed holders claimed interest on solatium. The execution court held that the revision petitioners/decreed holders are not entitled to interest on solatium as per the decree and so the revision petitioner/decreed holders cannot claim the same. The Execution court directed the revision petitioners/decreed holders to file a revised statement excluding their claim for interest on solatium.

2. The counsel for the revision petitioners/ decreedholders brought to my notice, the decision of the Supreme Court reported in **Gurpreet Singh Vs. Union of India 2006 (8) SCC 457** and the decision of this court reported in **Sankaranezhuthassan Vs. State of Kerala 2007 (4) K.L.T 492**.

3. In view of the decision of the Supreme Court and this Court referred above, the order passed by the court below is liable to be set aside. Accordingly these Civil Revision Petitions are allowed. The impugned order is set aside. The court below is directed to pass orders in accordance with the dictums laid down in Gurpreet Singh's case (supra) and in Sankaranezhuthassan's case (supra)

HARUN-UL-RASHID, JUDGE